

Amendment under 37 C.F.R. § 1.111
U.S. Application No. 10/082,136

REMARKS

Claims 1, 2 and 26-31 have been examined and have been rejected under 35 U.S.C. § 112, second paragraph, and under 35 U.S.C. § 103(a). Dependent claims 3-7 and 10-25 have been withdrawn from consideration.

Rejections under 35 U.S.C. § 112, second paragraph

The Examiner has rejected claims 1, 2 and 26-31 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Accordingly, Applicant has amended claims 1, 28 and 29 in a manner believed to overcome the rejection.

Claim Rejections Under 35 U.S.C. § 103 in view of U.S. Patent No. 4,629,144 to Schoettle ("Schoettle") and U.S. Patent No. 4,986,491 to Gelardi et al. ("Gelardi")

The Examiner has rejected claims 1, 2 and 27-31 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Schoettle and Gelardi.

A. Claim 1

Applicant herein incorporates by reference all arguments from the May 31, 2005 Amendment.

Claim 1 recites a U-shaped insertion anchor portion having a support piece portion and an open piece portion. The support piece portion is supported by an inner surface of the upper half

of a cartridge case body, and the open piece portion is recited as being parallel to the support piece portion.

The Examiner maintains that the bent portions 2a, 2b of Schoettle disclose the claimed U-shaped insertion anchor portion. By virtue of the language recited in claim 1, the claimed support piece portion would have to be the portion of 2a, 2b that is between the housing 4 and the edge portion of the window 5 (see portion "A" in Applicant's attached annotated figures of Schoettle), and the open piece portion would have to be the portion of 2a, 2b that is opposite to the alleged support piece portion since it must be parallel thereto (see portion "B" in the attached annotated figures of Schoettle).

Based on the portions A and B of Schoettle, Applicant submits that Schoettle fails to teach or suggest every feature recited in claim 1. For example, claim 1 recites that the elastic tongue portion extends from the support piece portion. As shown in the annotated figures of Schoettle, the tongue 15 extends from the alleged open piece portion B, not from the alleged support piece portion A. Further, claim 1 recites that the elastic tongue portion is inclined to a side of the open piece portion. On the contrary, as shown in the annotated figures of Schoettle, the tongue 15 is actually inclined away from *both* portions A and B. Also, by virtue of the fact that the tongue 15 of Schoettle extends from the alleged open piece portion B, rather than from the alleged support piece portion A, it therefore cannot incline to a side of the alleged open piece portion B.

In addition, claim 1 recites that the U-shaped insertion anchor portion is inserted into and anchored in the space defined between the inner surface of the case body and the overhanging portion. Applicant submits that the U-shaped insertion anchor portion includes both the support piece portion and the open piece portion. Schoettle fails to teach or suggest that both the alleged portions A and B, of the annotated figures of Schoettle, are inserted *into* the cutout space 6.

Since the Gelardi reference fails to cure the above deficient teachings of Schoettle, Applicant submits that even if combined, the references fail to teach or suggest the features of claim 1.

B. Claims 2 and 27

Since claims 2 and 27 are dependent upon claim 1, Applicant submits that such claims are patentable at least by virtue of their dependency.

C. Claim 28

Since claim 28 is dependent upon claim 1, Applicant submits that such claim is patentable at least by virtue of its dependency.

In addition, claim 28 recites that the reel presser spring has a convex portion on the open piece portion. Assuming *arguendo* that portion B of the annotated figures of Schoettle discloses

the claimed open piece portion, there is no convex portion formed thereon. Rather, the only convex portion is the rivet 9 (Fig. 3). However, rivet 9 is formed from, and extends from, the housing 4, and thus, does not teach or suggest the features of claim 28. Since Gelardi fails to cure this deficient teaching of Schoettle, Applicant submits that claim 28 is patentable.

D. Claim 29

Since claim 29 is dependent upon claim 1, Applicant submits that such claim is patentable at least by virtue of its dependency.

In addition, claim 29 recites that the presser spring anchor portion has an anchor hole. The only hole shown in Schoettle is aperture 10 (Fig. 1). Aperture 10 is formed on the pressure spring 1 itself. The aperture 10 is not formed on any portion of the window 5 or the housing 4, which the Examiner alleges as disclosing the claimed presser spring anchor portion. Since Gelardi fails to cure this deficient teaching of Schoettle, Applicant submits that claim 29 is patentable.

E. Claims 30 and 31

Since claims 30 and 31 are dependent upon claim 1, Applicant submits that such claims are patentable at least by virtue of their dependency.

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In addition, Applicant submits that claims 30 and 31 are patentable for at least analogous reasons as claims 28 and 29.

Rejections under 35 U.S.C. § 103(a) in view of Schoettle, Gelardi and U.S. Patent No. 4,408,733 to Ooishi et al. ("Ooishi")

The Examiner has rejected claim 26 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Schoettle, Gelardi and Ooishi. However, Applicant submits that since Ooishi fails to cure the deficient teachings of Schoettle and Gelardi, claim 26 is patentable at least by virtue of its dependency upon claim 1.

New Claim

Applicant has added new claim 32 to provide more varied protection for the present invention.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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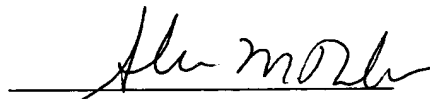
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